

Notice of Allowability

Application No.

10/655,174

Examiner

Tuan C To

Applicant(s)

HASEGAWA, YUJI

Art Unit

3663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 09/07/2004.
2. ☒ The allowed claim(s) is/are 1-24.
3. ☒ The drawings filed on 09/07/2004 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

[Signature]
SUPERVISORY PATENT EXAMINER
GROUP 3602

EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

This communication is an Examiner's reasons for allowance in response to application filed on 09/03/2003, assigned serial 10/655,174 and titled "Vehicle Control System, Program and Method."

The following is the Examiner's statement of reasons for the indication of allowable subject matter:

The following is the Examiner's statement of reasons for the indication of allowable subject matter:

As previously indicated in the Ex Parte Quayle action dated on 07/16/2004, the application was allowable except for the drawings and the abstract. The formal drawings have been submitted by the applicant, and the abstract has been corrected as required. Therefore, the application is now set in a condition for allowance.

During the prior art searching, the examiner has found none of the references, either alone or in combination, teaches or fairly suggests a vehicle control system and method for mounting on a primary vehicle for detecting the approach of another vehicle to perform a collision avoidance action comprising: template memory means for storing templates for detecting the approach of the another vehicle; template update means for updating the templates when a brake pedal is pressed by a driver; recognizing means of comparing the external image with the updated template and calculating an evaluation value to determine whether the another vehicle approaches the primary vehicle based on the result of said comparing. Neither the references teaches a vehicle control program

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product to associate with such the system and method for performing such the function.

The closet prior art to the subject matter of claims 1, 9, and 17 is the reference to Kiamura et al. (U.S. 5757287), entitled "Object Recognition System and Abnormality Detection System Using Image Processing", directs to an object recognition system using image processing. Kiamura et al. discloses a camera, a template memory for storing input images at specified points of an object, a shade pattern matching circuit for performing a match between the image data of the memory (3) and image data of the template memory (4) (Kiamura et al., figure 1). Kiamura et al. do not disclose "recognizing means of comparing the external image with the updated template and calculating an evaluation value to determine whether the another vehicle approaches the primary vehicle based on the result of said comparing".

Some other prior art are related to the object monitoring device installed on-board a motor vehicle to avoid a possible collision with an approaching object. For example, Ogura et al. (U.S. 20010012982A1) discloses a side-monitoring apparatus for a motor vehicle, which can recognize a possible collision with an object approaching from a side direction road using an image pick-up means mounted on the vehicle. Ogura et al. do not teach the limitations as now claimed in the present invention.

For the reason discussed above, the application is now set in a condition of allowance except for the formal matter as mentioned above.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan C To whose telephone number is (703) 308-6273. The examiner can normally be reached on from 8:00AM to 5:00PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black can be reached on (703) 305-8233.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/tc

October 17, 2004


THOMAS C. BLACK
SUPERVISORY PATENT EXAMINER
GROUP 3600